

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

CARRIE SCHEUERMAN,)	
)	
Plaintiff,)	
)	Case No. 1:23-cv-16245
v.)	Honorable Virginia Kendall
)	
CENTRAL STATES PENSION FUND,)	
)	
Defendant.)	
)	

DEFENDANT’S MOTION TO DISMISS

Defendant, Central States Pension Fund (“Central States” or “Defendant”), by and through its attorneys, hereby moves this Honorable Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Complaint in this matter. In support of its motion, Central States states as follows:

1. In her Complaint filed on November 27, 2023 (Doc. #1), Plaintiff Carrie Scheuerman (“Scheuerman” or “Plaintiff”), a former employee of Central States, alleges that Central States discriminated against her by allegedly failing to provide her with a religious accommodation to Central States’s mandatory vaccination policy in violation of Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000e(j) and 2000e-2(a).

2. Central States moves to dismiss the claims on the grounds that the Complaint does not state a plausible claim for relief under *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). Plaintiff’s Title VII claim fails to satisfy any element of her *prima facie* case for religious discrimination because her original request for accommodation fails: (1) to identify a sincerely held religious belief that conflicts with an employment requirement that is religious in nature; (2) to notify Central States of the alleged

sincerely held religious belief; and (3) to allege that the alleged sincerely held religious beliefs constituted the basis for her discharge.

3. Central States also moves to dismiss Plaintiff's entire Complaint because amendment in this case would be futile.

4. The facts, arguments, and authorities in support of this motion are set forth in the accompanying Defendant's Memorandum in Support of Its Motion to Dismiss, which is filed simultaneously herewith and herein incorporated by reference.

WHEREFORE, Defendant respectfully requests that this motion to dismiss be granted in its entirety and that the Complaint be dismissed.

Respectfully submitted,

CENTRAL STATES PENSION FUND

By: /s/ Michael S. Ferrell
One of Its Attorneys

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Dated: February 6, 2024

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on February 6, 2024, he caused a copy of Defendant's Motion to Dismiss to be filed electronically with the Clerk of the U.S. District Court, Northern District of Illinois, using the CM/ECF (electronic case filing) system, which sent notification of such filing to the following ECF participants, via e-mail:

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/s/ Daniel R. Simandl